

FISCAL NOTE

LEGISLATIVE FISCAL ANALYST ESTIMATE

Updated for amendments adopted through March 7, 2016.

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2016-17		FY 2017-18	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS	535,000		535,000	
CASH FUNDS	7,000			
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS	542,000		535,000	

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill, as amended, would change provisions relating to the Office of the Public Guardian. LB1008 is amended into this bill, and it would provide qualification requirements for guardians ad litem in guardianship, conservatorship, and other protective proceedings.

LB1007 is also amended into LB934. LB1007 expands the scope of the Adult Protective Services Act to include 1) wrongful or unauthorized taking or using funds, securities or other assets or breach of the fiduciary duty of a guardian, conservator, trustee or other fiduciary of a vulnerable adult or senior adult, 2) intentional acts of isolation for the purpose of preventing the vulnerable adult or senior adult from contact with family, friends or other concerned persons. Although this will result in more adult protective service cases, the number can be handled within existing resources of the Department of Health and Human Services. There is no fiscal impact regarding the provisions of LB1007.

The "A" bill contains funding for the following items:

- A \$500,000 General Fund appropriation to serve additional wards and protected persons.
- A \$35,000 General Fund appropriation for salary reclassifications.
- A one-time cash fund expenditure of \$7,000 for activities such as developing training and changes to computer programming to track participants relating to LB1008 provisions.

See the Supreme Court's response following for additional details.

Please complete ALL (5) blanks in the first three lines.

2016

LB⁽¹⁾ 934, AM2190

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾

Supreme Court

Prepared by: ⁽³⁾ Eric Asboe

Date Prepared: ⁽⁴⁾ 3/1/16

Phone: ⁽⁵⁾ 1-4138

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2016-17</u>		<u>FY 2017-18</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	<u>35,000</u>	<u> </u>	<u>35,000</u>	<u> </u>
CASH FUNDS	<u>7,000</u>	<u> </u>	<u> </u>	<u> </u>
FEDERAL FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
OTHER FUNDS	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL FUNDS	<u><u>42,000</u></u>	<u><u> </u></u>	<u><u>35,000</u></u>	<u><u> </u></u>

Explanation of Estimate:

LB934, as amended by AM2190, has a fiscal impact in the following areas:

1. The merger of LB1008 into this amendment has an estimated Cash Fund impact of \$7,000 for developing training and computer programming to track guardian ad litem participants.

2. The Public Guardian, Deputy Public Guardian and an Associate Public Guardian legal counsel must be attorneys licensed to practice in Nebraska. In order to meet this requirement, the General Fund impact to reclassify these positions is estimated at \$35,000.

3. The ratio of wards and protected persons to staff is modified from 1 to 40 per associate public guardian to 1 to 20 per member of the multidisciplinary team. The original fiscal note for LB934 contained the impact of retaining the 1 to 40 ratio. With the modification, the impact will vary based on the number of team members and Office of Public Guardian funding levels. For example, it has been estimated that serving approximately 360 wards and protected persons would have an impact of \$500,000. This note assumes that, with the modification, approximately 260 wards and protected persons could be served by the Office of Public Guardian with current staff and funding.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2016-17</u>	<u>2017-18</u>
	<u>16-17</u>	<u>17-18</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
	<u> </u>	<u> </u>	<u>35,000</u>	<u>35,000</u>
Benefits.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Operating.....	<u> </u>	<u> </u>	<u>7,000</u>	<u> </u>
Travel.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Capital outlay.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Aid.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
Capital improvements.....	<u> </u>	<u> </u>	<u> </u>	<u> </u>
TOTAL.....	<u><u> </u></u>	<u><u> </u></u>	<u><u>42,000</u></u>	<u><u>35,000</u></u>